

27.01.2022

104

Ct. No. 29

KAUSHIK

Allowed

C.R.M. 8784 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Tamluk** Police Station Case No. **438** of **2016** dated **09.07.2016** under Sections 363/366A/376 of the Indian Penal Code, 1860 read with Prevention of Children from Sexual Offences Act, 2012.

And

In Re : Prasanta Mantri

..... petitioner

Mr. Anjan Bhattacharya

.....for the petitioner

Mr. Madhusudan Sur

Mr. Manoranjan Mahata

....for the State

Petitioner seeks bail.

Learned advocate for the petitioner submits that, the petitioner is in custody for 162 days. The petitioner was studying in Class-XI and the victim girl in Class VIII. They developed a relationship between themselves. It is subsequently that the victim girl lodged the present police complaint.

Learned advocate appearing for the State draws the attention of the Court to the statement recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.) of the victim girl.

Considering the fact that the police filed charge-sheet and considering the period of detention of the petitioner and

considering the relationship between the petitioner and the victim girl, we grant bail to the petitioner.

Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the **learned Additional Sessions Judge, 2nd Court at Tamluk, Purba Medinipur cum learned Special Court under POCSO Act, Tamluk, Purba Medinipur**, subject to the condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

The application for bail is, accordingly, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)